

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

THERESA SIMS, *et al.*,

Plaintiffs,

v.

OFFICER KURT SCHUTZ, *et al.*,

Defendants.

Case No. 3:18-cv-00489-JPG-RJD

**MEMORANDUM AND ORDER**

**J. PHIL GILBERT, DISTRICT JUDGE**

This matter comes before the Court on the plaintiffs' response to this Court's order that they articulate their position on the defendants' motion to stay. (*See* ECF Nos. 25, 27, 28.) The defendants had previously explained that since two of the plaintiffs still have criminal charges pending in Illinois state court, this case may present issues pursuant to *Heck v. Humphrey*, 512 U.S. 477 (1994) and *Younger v. Harris*, 401 U.S. 37 (1971) if this Court decides certain issues on the merits before the criminal case is over. The plaintiffs have now indicated that they consent to the defendants' motion to stay. (ECF No. 28.) Accordingly, the Court will **GRANT** the defendants' motion (ECF No. 25) and **STAY** this case in its entirety until the state criminal proceedings have finished. The Court further **DIRECTS** the parties to file a joint status report in May 2019, and every four months thereafter, indicating the progress of that criminal case and whether the stay should remain in effect.

**IT IS SO ORDERED.**

**DATED: JANUARY 17, 2019**

**s/ J. Phil Gilbert  
J. PHIL GILBERT  
DISTRICT JUDGE**